REMARKS

In a restriction requirement dated July 17, 2003, the Examiner required restriction under 35 U.S.C. § 121 between:

(I) Claims 1-6 drawn to pteridine compounds.

(II) Claim 7 drawn to an additional active ingredient claim;

(III) Claims 8 and 9 drawn to multiple processes of using the compounds of formula I. If this Group is elected a further election of one specific, real world disease is required. One method of using compound will be examined, if Group I is elected. A specific disease is required.

(IV) Claims 11, 13 and 14 drawn to multiple processes. If this group is elected, a further election of one process is required, and if Group I is elected it will be examined, therewith.

(V) Claim 12 drawn to a mono cyclic pyrimidine.

Applicants provisionally elect to prosecute Group I, Claims 1-6 drawn to pteridine compounds with traverse. As Group I is elected, please select 'strokes' as specific disease and the method of claim 11 as the process for preparing the compounds of the invention. Additionally, as claim 7 has been amended to delete the "further active ingredients", Applicants respectfully request that claim 7 be examined along with Group 1.

The elections are made with traverse because the Examiner has not properly applied the standard of unity of invention that governs this application. All claims of the application must be examined together as long as there is "unity of invention" as defined in Patent Cooperation Treaty Rule 13. U.S. national law must follow this standard, and restriction practice under 35 U.S.C. § 121 may not impose more stringent requirements. 35 U.S.C. § 372. Applicants note that no rejection for lack of unity of invention was made in the international phase of this application.

Finally, the Examiner states that "there is no one clear utility claimed here, claim 9 is not a real world utility." Applicants' respectfully disagree with the Examiner's opinion. It is a well-known scientific fact that the inhibition of NO synthase can be used for the treatment of various diseases, *e.g.*, U.S. Patent 5,902,810. Accordingly, since the present invention relates to novel NO synthase inhibitors, said inhibition is a clear and accepted utility.

In light of the above, the restriction requirement is improper and should be withdrawn.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: August 15, 2003

By: _____
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